

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI

CASE INFORMATION RECORD Date 2-12-04 Page No. _____ Case No. 4:89cr167 JCH
 Division _____ Presiding Judicial Official AGF Operator C Liddy - FTR
 Proceeding IA on Sup R-1

Tape #1 Index #s _____	Tape #2 Index #s _____	Tape #3 Index #s _____
Tape #4 Index #s _____	Tape #5 Index #s _____	Tape #6 Index #s _____

Plaintiff(s) <u>USA</u>	Defendant(s) <u>Edward Clary</u>
Other Party Type _____	Other Party Type _____

Channel	Channel
1. Presiding Judicial Official (J)	3. Podium
2. Witness Stand	4. Jury Box

Plaintiff Attorney(s)	Defendant Attorney(s)
_____	_____
_____	_____

(See attached docket sheet for addresses)

☐ Defendant Waives Hearing ☒ Court Appointy will counsel ☐ Sealed Proceeding
 Parties Present for hearing on arrest today

☒ Defendant present for Initial Appearance. ☒ Deft. is advised of his/her rights & indicates he/she understands them.
☐ Bond set in the amount of \$ _____ ☐ Secured ☐ Secured by 10% ☐ Unsecured ☐ O.R. Bond
☐ Govt. has filed a motion for pretrial detention. Detention hearing scheduled for _____
☐ Defendant Arraigned ☐ Waives reading of Indictment/Information ☐ Case taken under advisement

Plea Entered _____ Order on Pretrial Motions ☐ issued ☐ to issue

Deft. waives evidentiary hearing and by leave of court withdraws all pretrial motions ☐ order to issue ☐ oral ruling

Trial date _____ Before _____

Next Hearing Date/time 2-13-04 @ 9:30 Type of Hearing prelim S.R. Hug Before AGF

☒ Remanded to Custody ☐ Released on Bond Attorney Present _____

Proceeding Commenced 2:29 a Proceeding Concluded 2:39 a

Tape # _____ from _____ to _____

**RULE 5 INITIAL APPEARANCE RECORD BEFORE
MAGISTRATE JUDGE**

Mag. No. 4:04 MJ 2023D/C Case No. 4:89CR0167JCHSSN# 558-45-8627Defendant's Name: Edward James ClaryDate of Initial Appearance: Feb. 12, 2004 Proceedings Commenced 2:30 p.m.Date Federal Custody Commenced: 2/12/04 on this matterU.S. Attorney: Richard PrehlingDefense Attorney: Scott RosenblumPresent Not Present chargesPresent Not Present

Defendant advised of following:

☒ Nature of Offense ☒ Given copy of Comp/Indict/Info/Petr☒ Right to be represented by counsel☒ Right to have counsel appointed, if indigent

Retained: _____

☒ Appointed: _____☒ Right to remain silent; and that defendant's statements can be used against him.☒ Right to preliminary examination under Rule 5.1 or preliminary hearing under Rule 32.1 within 10 days if detained; and within 20 days if released.

Right to hearing here under Rule 40 if charged in another district.

Right to transfer here for guilty plea under Rule 20 if charged in another district.

Pretrial services bail report received on _____

From: Pretrial Services Officer Chauncey HunterDefendant's residence: 204 Indiana ST 63104 Tel. No. 776-2581duplex - Leana - Gloria Clary wifeDefendant's Age: 32 DOB: 4/18/71 Sex: M Race: AA☒ Married: Spouse's Name: Gloria Clary No. of children 3☐ SingleAges: 13, 10, 9 none live w/ ΔLocation of defendant's family: Proctora lives here.Defendant's current employment: Maingba - recycles coppersince 3/03 until arrested.

Defendant's prior convictions: _____

Bail set at: _____

Sec.
AB

O.R.

Unsec.
AB

Cash
Only

Property

10%

Motion for detention hearing made by

☒ United States

☐ Magistrate Judge

Detention hearing set for Friday, February 13, 2004 at 9:30 a.m.

Disposition at Initial Appearance:

☒ Committed to Custody

☐ Released on Bond

Next Appearance: Fri, Feb. 13, 2004 at 9:30 a. m. for Pretrial Sup Rel. Rev. Hearing &
Date Time Proceeding Det. Hearing

Before Judge Heissig

Case to remain: ☐ Sealed ☐ Unsealed ☐ Proceedings Concluded: ☐

Notes: _____

Audrey G. Heissig
UNITED STATES MAGISTRATE JUDGE

FINANCIAL AFFIDAVIT

CJA 23
(Rev. 5/98)

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT OR OTHER COURT SERVICES WITHOUT PAYMENT OF FEE

 IN THE UNITED STATES ☐ MAGISTRATE ☐ DISTRICT ☐ APPEALS COURT or ☐ OTHER PANEL (Specify below)

IN THE CASE OF

USA vs. Clary

FOR

AT

LOCATION NUMBER

DOCKET NUMBERS

Magistrate

District Court

Court of Appeals

PERSON REPRESENTED (Show your full name)

 CHARGE/OFFENSE (describe if applicable & check box →) ☐ Felony ☐ Misdemeanor

- ☐ 1 Defendant - Adult
☐ 2 Defendant - Juvenile
☐ 3 Appellant
☐ 4 Probation Violator
☐ 5 Parole Violator
☐ 6 Habeas Petitioner
☐ 7 2255 Petitioner
☐ 8 Material Witness
☐ 9 Other (Specify)

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

ASSETS	EMPLOY- MENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Am Self Employed	
		Name and address of employer: _____	
		IF YES, how much do you earn per month? \$ _____	IF NO, give month and year of last employment _____ How much did you earn per month? \$ _____
		If married is your Spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
		IF YES, how much does your Spouse earn per month? \$ _____	If a minor under age 21, what is your Parents or Guardian's approximate monthly income? \$ _____
OTHER INCOME	Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	IF YES, GIVE THE AMOUNT RECEIVED & IDENTIFY \$ THE SOURCES	RECEIVED _____ _____ _____ SOURCES _____ _____ _____	
CASH	Have you any cash on hand or money in savings or checking account <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IF YES, state total amount \$ _____		
PROP- ERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
	IF YES, GIVE THE VALUE AND \$ DESCRIBE IT	VALUE _____ _____ _____ DESCRIPTION _____ _____ _____	

OBLIGATIONS & DEBTS	DEPENDENTS	MARITAL STATUS	Total No. of Dependents	List persons you actually support and your relationship to them _____ _____ _____ _____
		<input type="checkbox"/> SINGLE <input type="checkbox"/> MARRIED <input type="checkbox"/> WIDOWED <input type="checkbox"/> SEPARATED OR DIVORCED	_____	
DEBTS & MONTHLY BILLS (LIST ALL CREDITORS, INCLUDING BANKS, LOAN COMPANIES, CHARGE ACCOUNTS, ETC.)	APARTMENT OR HOME:	Creditors	Total Debt	Monthly Payt.
		_____	\$ _____	\$ _____
		_____	\$ _____	\$ _____
		_____	\$ _____	\$ _____
		_____	\$ _____	\$ _____

I certify under penalty of perjury that the foregoing is true and correct. Executed on (date) _____

SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)
